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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,724	11/29/2004	Per Gramme	2004-0859A	6707
513	7590	02/07/2007	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			TURNER, SONJI	
			ART UNIT	PAPER NUMBER
			1724	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE		DELIVERY MODE	
3 MONTHS	02/07/2007		PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/500,724	GRAMME, PER	
	Examiner Sonji Turner	Art Unit 1724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 November 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 6-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 6-8 is/are rejected.
- 7) Claim(s) 9-11 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 July 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/06/2004</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(a)-(d) based upon an application filed in Norway on February 8, 2002. A claim for priority under 35 U.S.C. 119(a)-(d) cannot be based on said application, since the United States application was filed more than twelve months thereafter.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "pipe 3" as described in the specification on page 2, line 29. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, **the venturi arranged in the pipe (claim 8), the perforated plate (claims 9, 11, 12), and the angled perforated plate (claim 10)** must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Specification*

5. The disclosure is objected to because of the following informalities: The drawing fails to show "pipe 3" as described in the specification on page 2, line 29 (see **Drawings** above).

Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Griffen (U.S. Patent No. 2,506,298). Griffen teaches a device for changing the direction of motion of a rotating fluid stream from a spiral motion to a longitudinal motion that contains a centrifugal separation unit for removing foreign particles from gas streams. Griffen discloses an inlet conduit, or pipe, (2) operates to receive particle-laden air (col. 1, line 37) that rotates and releases particles onto the walls of pipe (2). Griffen discloses a device with an inlet pipe (2), a set of blades (3) designed

Art Unit: 1724

to rotate the fluid flow, an outlet pipe (5), and a second set of blades (12) designed to stop the rotation of the fluid flow, see figure 1.

Claims 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Capuano (EP 203896). Capuano teaches a device for the separation of liquid-vapor mixtures in a rising motion that uses centrifugal force to separate components in the mixture (p. 1, lines 1-5). The device has an inlet pipe (p.4, lines 31-32, figs. 1, 2, and 3), a separation chamber (2) in transition between the inlet pipe and outlet pipe, a vortex generator (3) that rotates the fluid stream (p. 5, lines 7-70), a second device with a plurality of outlets (4) to uniformly distribute the separated phases (p. 5, lines 13-16), and a cylindrical tubular wall (6), or second pipe, with a diameter larger than inlet pipe (figs. 1, 2, and 3).

Claims 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Merie (EP 210910). Merie discloses an invention intended for separation of solid particles or liquids in suspension in a fluid with a first pipe (10a), a first blade (14) that rotates the fluid flow, a second pipe (10c) with a second set of blades (16) that stop the fluid rotation (p. 2, ¶ 4). The device disclosed in Merie has a venturi between first blades (14) and second blades (16) (fig. 3).

***Allowable Subject Matter***

8. Claims 9 to 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is the examiner's statement for reasons of allowance: None of the prior art of record teach, nor disclose, the claimed features of a second device as a perforated plate in combination with the features of the independent claim 6 and any intervening claims nor the claimed feature where the perforated plate are arranged at an angle in the

Art Unit: 1724

longitudinal direction of the pipe as in claim 10 in combination with the features of the independent claim 6 and any intervening claims.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Other prior art references listed on PTO-892 (Notice of References Cited) are considered to be of interest, disclosing devices used for two-phase separation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sonji Turner whose telephone number is 571-272-1203. The examiner can normally be reached on Monday - Friday, 10:00 am – 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

st

DUANE SMITH  
PRIMARY EXAMINER  
*D-S*  
2-5-07